

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
TERRE HAUTE DIVISION

|                                   |   |                           |
|-----------------------------------|---|---------------------------|
| JEREMY RAY JACKSON, et al.        | ) |                           |
|                                   | ) |                           |
| Plaintiffs,                       | ) |                           |
|                                   | ) |                           |
| v.                                | ) | No. 2:20-cv-00116-JPH-DLP |
|                                   | ) |                           |
| FEDERAL BUREAU OF PRISONS, et al. | ) |                           |
|                                   | ) |                           |
| Defendants.                       | ) |                           |

**Order Granting Plaintiff Jackson's Motion for Leave to Proceed *In forma Pauperis* and  
Directing Further Proceedings**

Plaintiffs Jeremy Jackson and Muhammad Ajaj have filed this action alleging that the defendants have violated their religious rights.

The Seventh Circuit Court of Appeals has held that pro se plaintiffs may join in one action, in compliance with Rule 20 of the Federal Rules of Civil Procedure, but they must each either be assessed the full filing fee or have their *in forma pauperis* status assessed individually. *Turley v. Gaetz*, 625 F.3d 1005, 1011 (7th Cir. 2010) (discussing *Boriboune v. Berge*, 391 F.3d 852, 856 (7th Cir. 2004)).

**I. Mr. Jackson**

Mr. Jackson's motion to proceed *in forma pauperis*, dkt. [2], is **granted** to the extent that he is assessed an initial partial filing fee of twenty-seven dollars and twenty-one cents (\$27.21). *See* 28 U.S.C. § 1915(b)(1). Mr. Jackson shall have **through April 3, 2020**, in which to pay this sum to the clerk of the district court.

Mr. Jackson is informed that after the initial partial filing fee is paid, he will be obligated to make monthly payments of 20 percent of the preceding month's income each month that the amount in his account exceeds \$10.00, until the full filing fee of \$350.00 is paid. 28 U.S.C.

§ 1915(b)(2). After the initial partial filing fee is received, a collection order will be issued to Mr. Jackson and Mr. Jackson's custodian, and the Court will screen the complaint in accordance with 28 U.S.C. § 1915A.

## **II. Mr. Ajaj**

Although Mr. Ajaj appears as a plaintiff on the face of the complaint, only Mr. Jackson signed the complaint. Dkt. 1 at 6. In accordance with Rule 11(a) of the *Federal Rules of Civil Procedure*, “[t]he court must strike an unsigned paper unless the omission is promptly corrected after being called to the ...party’s attention.” Mr. Ajaj shall have **through April 3, 2020**, in which to file a signed complaint. If Mr. Ajaj fails to do so the Court will strike the unsigned papers and the action will be dismissed as to him.

Mr. Ajaj shall have **through April 3, 2020**, in which to either pay the \$400.00 filing fee for this action or demonstrate that he lacks the financial ability to do so by filing a signed motion to proceed *in forma pauperis*. If he seeks leave to proceed *in forma pauperis*, his request must be accompanied by a copy of the transactions associated with his institution trust accounts for the 6-month period preceding the filing of this action on February 26, 2020. 28 U.S.C. § 1915(a)(2).

## **III. Discussion of Joint Litigation**

The Seventh Circuit has described in detail the potential downsides for prisoners proceeding in joint litigation with another prisoner. *See Boriboune*, 391 F.3d at 854-56. It therefore suggested that District Courts “alert prisoners” to these downsides “and give them an opportunity to drop out” of the action. *Id.* at 856. The three primary downsides are the following. First, as noted above, each Plaintiff must pay the filing fee. Second, each Plaintiff risks that any claim deemed sanctionable under Fed. R. Civ. P. 11 could lead to sanctions for each Plaintiff. Third, each Plaintiff

incurs a “strike” under § 1915(g) if the action is dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted.

Each Plaintiff shall have **through April 3, 2020**, in which to notify the Court whether he would like to voluntarily dismiss his claims without prejudice or proceed.

**SO ORDERED.**

Date: 3/5/2020



James Patrick Hanlon  
United States District Judge  
Southern District of Indiana

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